

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**February 2, 1998**

DIVISION ONE

B108416 B112803	People v. Williams In re Williams on Habeas Corpus	(Not for Publication)
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The judgment is affirmed and the petition for writ of habeas corpus is denied.

Masterson, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

B108553 B117623	People v. Doby In re Doby on Habeas Corpus	(Not for Publication)
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The judgment is affirmed and the petition for writ of habeas corpus is denied.

Masterson, J.

We concur: Spencer, P.J.  
Ortega, J.

B106877	People v. Williams	(Not for Publication)
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The judgment is affirmed.

Masterson, J.

We concur: Spencer, P.J.  
Ortega, J.

## February 2, 1998-Continued

## DIVISION ONE (Continued)

B114621 People (Not for Publication)  
v.  
Turner

The judgment is affirmed.

Ortega, J.

We concur:    Spencer, P.J.  
                         Masterson, J.

[illegible]

The judgment is affirmed.

Masterson, J.

We concur: Ortega, Acting P.J.  
Dunn, J.

B104605      People                                  (Not for Publication)  
v.  
Harris

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The judgment is affirmed.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.  
Masterson, J.

## February 2, 1998-Continued

## DIVISION ONE (Continued)

B107749 People (Not for Publication)  
v.  
Guerruero

The judgment is reversed.

Ortega, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

B113745      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Javier S.

The orders under review are affirmed.

Masterson, J.

We concur: Ortega, Acting P.J.  
Vogel (Miriam A.), J.

B111393      People      (Not for Publication)  
v.  
Evans

The judgment is affirmed.

Masterson, J.

We concur: Ortega, Acting P.J.  
Vogel (Miriam A.), J.

## February 2, 1998-Continued

## DIVISION ONE (Continued)

B110301 People (Not for Publication)  
v.  
Usmani

The judgment is affirmed.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.  
Masterson, J.

DIVISION TWO

B110061      MSA Industries, Inc.      (Not for Publication)  
v.  
Edward Fields, Inc.

The order under review is affirmed.

Boren, P.J.

We concur:   Fukuto, J.  
                      Nott, J.

B112562 People (Not for Publication)  
v.  
Maurice R.

The Court:

The order under review is affirmed.

Boren, P.J., Nott, J., Zebrowski, J.

## February 2, 1998-Continued

## DIVISION TWO (Continued)

B112117 People (Not for Publication)  
v.  
Firman Gonzalez

### The Court:

The judgment (order granting probation) is affirmed.

Boren, P.J., Fukuto, J., Zebrowski, J.

B105743      Duck Soo Chang      (Not for Publication)  
v.  
Jae Hyun Lee et al.

The appeal is dismissed. Parties to bear their own costs on appeal.

Boren, P.J.

We concur: Fukuto, J.  
Zebrowski, J.

B111017      People                                  (Not for Publication)  
v.  
Jose Angel Valenzuela

The judgment is affirmed.

Boren, P.J.

We concur: Fukuto, J.  
Zebrowski, J.

## February 2, 1998-Continued

## DIVISION TWO (Continued)

B110808      People                                  (Not for Publication)  
v.  
Jordan Pollard

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Zebrowski, J.

B103275      People      (Not for Publication)  
v.  
Arthur M. Howard

The judgment is reversed as to count 6 only, and the cause is remanded to the trial court for resentencing. In all other respects, the judgment is affirmed. The petition for writ of habeas corpus filed July 11, 1997, has been read and considered. The petition is denied.

Boren, P.J.

We concur: Fukuto, J.  
Zebrowski, J.

## DIVISION FOUR

B109613      June      (Not for Publication)  
v.  
Los Angeles County Metropolitan Transit Authority

The judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.  
Baron, J.

## February 2, 1998-Continued

DIVISION FOUR (Continued)

B114905 People v. Gomez (Not for Publication)

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The judgment is affirmed.

Hastings, J.

We concur: Vogel (C.S.), P.J.  
Epstein, J.

B106774 People (Not for Publication)  
v.  
Hill

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.  
Hastings, J.

B108798 People (Not for Publication)  
v.  
Clark

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.  
Hastings, J.

## February 2, 1998-Continued

## DIVISION FIVE

B113079      People                                  (Not for Publication)  
v.  
Donald M. Hunter

The judgment is affirmed.

Godoy Perez, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

B106847      Earl Jones et al.      (Not for Publication)  
v.  
Phillip Schlosberg

The judgment is affirmed.

Armstrong, J.

We concur:   Turner, P.J.  
                   Godoy Perez, J.

B107912      Robert Weinbach et al.      (Not for Publication)  
v.  
Time Warner Entertainment Company et al.

The judgment is affirmed.

Armstrong, J.

We concur:   Turner, P.J.  
                  Godoy Perez, J.



## DIVISION FIVE (Continued)

B104811      People                                  (Not for Publication)  
v.  
Lloyd L. Camp

Appellant's conviction for receiving stolen property is reversed. The matter is remanded for a hearing to determine whether appellant has standing to move to suppress the evidence seized from the Toyota and if he does, to determine the merits of appellant's motion to suppress. If the motion is denied, the superior court shall reinstate the judgment. If the motion is granted, the case shall set for further proceedings. The conviction for first degree burglary is affirmed. Respondent's request for judicial notice is denied, without prejudice to respondent's ability to raise the issue of excessive custody credits in the trial court on remand.

Armstrong, J.

We concur: Grignon, Acting P.J.  
Jackson, J. (Assigned)

B112109      People                                  (Not for Publication)  
v.  
John W. Jones

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.  
Godoy Perez, J.

B111454      People                                  (Not for Publication)  
v.  
Marquette D. Scott

The judgment is affirmed.

Armstrong, J.

We concur: Grignon, Acting P.J.  
Godoy Perez, J.

## February 2, 1998-Continued

## DIVISION SIX

B111593 People (Not for Publication)  
v.  
Turcott

The judgment is affirmed.

Stone, P.J.

We concur:    Gilbert, J.  
                             Yegan, J.

B108762      Tallakson      (Not for Publication)  
v.  
Truth Aquatics, Inc.

The judgment is reversed. Costs are awarded to appellant.

Coffee, J.

We concur:    Gilbert, Acting P.J.  
                     Yegan, J.

[illegible]

The judgment is affirmed.

Gilbert, Acting P.J.

We concur: Yegan, J.  
Coffee, J.

## February 2, 1998-Continued

## DIVISION SIX (Continued)

B111711 People (Not for Publication)  
v.  
Dasher

The one-year enhancement pursuant to section 12022 shall be struck. The judgment is otherwise affirmed. The trial court shall amend the abstract of judgment accordingly and forward the amended abstract of judgment to the Department of Corrections.

Gilbert, Acting P.J.

We concur: Yegan, J.  
Coffee, J.

B114734 People (Not for Publication)  
v.  
Villegas

The judgment is affirmed.

Coffee, J.

We concur: Stone, P.J.  
Yegan, J.

B106968      Lampone      (Not for Publication)  
v.  
Manley

The summary judgment entered in favor of respondents on the first cause of action is reversed and the matter is remanded for trial. The summary judgment entered in favor of respondents on the second and third causes of action is affirmed and considered a summary adjudication of those two causes of action in favor of respondents. The parties are to bear their own costs.

Coffee, J.

We concur:    Gilbert, Acting P.J.  
                     Yegan, J.

## February 2, 1998-Continued

## DIVISION SIX (Continued)

B114627 People (Not for Publication)  
v.  
Quincel

The judgment is affirmed.

Coffee, J.

We concur:    Gilbert, Acting P.J.  
                         Yegan, J.

B108569 People  
v.  
Rodrigues

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment.)

## DIVISION SEVEN

B096051 Athans (Not for Publication)  
v.  
University of California at Los Angeles

The judgment is affirmed as to counts 3 and 4, reversed as to counts 1 and 2, and remanded to the trial court for further proceedings on the latter counts. Each side shall bear its own costs on appeal.

Neal, J.

We concur:   Johnson, Acting P.J.  
                     Woods, J.

## February 2, 1998-Continued

## DIVISION SEVEN (Continued)

B098939 Gohary (Not for Publication)

V.

California Casualty Insurance Company

The judgment is reversed. Costs on appeal are awarded to appellants.

Neal, J.

We concur: Lillie, P.J.

Woods, J.

B097378 Martinez (Not for Publication)

V.

America's Mortgage Servicing, Inc.

The judgment is affirmed. Respondent shall recover its costs on appeal.

Neal, J.

I concur: Woods, Acting P.J.

I dissent: Lillie, P.J. (Opinion)

B113285 People (Not for Publication)

V.

Stevens

The judgments (one an order revoking probation) are affirmed.

Lillie, P.J.

We concur:     Johnson, J.

Woods, J.